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123573.A08

**REMARKS**

Re-examination and allowance of the present application is respectfully requested.

Claims 1-9 of the present application stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-9 of co-pending reissue Application No. 10/727,331; claims 1-14 of co-pending reissue Application No. 10/727,329; and claims 1-10 of co-pending reissue Application No. 10/727,330.

While Applicants disagree with the grounds for these rejections, Applicants herewith submit a Terminal Disclaimer in order to advance the present application to issue. The submission of the Terminal Disclaimer should not be taken as an acquiescence of the appropriateness of the rejections, but merely as a desire to advance the application to issue.

In view of the filing of a Terminal Disclaimer, Applicants submit that the grounds for the various obviousness-type double patenting rejections no longer exist. Accordingly, the Examiner is respectfully requested to withdraw these grounds of rejection.


Further, Applicants submit that all of the issues raised by the Examiner have been addressed and over-come by the presently submitted response and Terminal Disclaimer. Accordingly, Applicants believe that the present application is in condition for allowance, and respectfully request such an indication from the Examiner.

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Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

Should the Examiner have any further questions, the Examiner is requested to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Mitsuhiro KASAHARA et al.

  
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